

## REMARKS

### INTRODUCTION:

In accordance with the foregoing, claims 1 and 5-10 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1 and 3-12 are pending and under consideration. Reconsideration is respectfully requested.

### REJECTION UNDER 35 U.S.C. §112:

On page 2, the Office Action alleged claims 1 and 5-12 omitted essential elements, stating "the claims are unclear because they do not show how the document processing apparatus is able to determine where the mark exists" at lines 13-14. Specifically, the Office Action stated "[i]f the processing apparatus cannot properly locate the mark region either by comparing the densities or scanning the entire document and counting pixels taught in the prior art , it is not possible to differentiate a relevant mark within a document."

First, it is not understood why the Examiner is concerned about the ability of a processing apparatus as recited in claim 1, for example, to locate where a mark exists. As discussed in the application, this is "well-known technology" (page 16, line 1) and any known method for "discriminating ... a useful information area" (e.g., claim 1, lines 6-7) may be used in implementing the invention. While page 15, line 23 to page 16, line 3 of the specification describes one way to locate a mark, other techniques for determining where a mark exists are disclosed in Japanese Patent Application Publications H9-73517 and 2002-258960, as just a couple examples of numerous patents and patent applications that have disclosed methods to recognize where marks exist on inputted documents. Not only is detection of marks commonplace in many known systems, but even recognition of the marks, e.g., OCR and handwriting recognition, is available from many vendors.

Second, it is noted that U.S. patent law does not require claims to recite how each operation is performed. See, e.g., *The Bendix Corporation v. United States*, 600 F2d 1364, 204 USPQ 617 (Cl. Ct. 1979) and *General Electric Company v. United States et al.*, 600 F2d 1364,

204 USPQ 617 (Cl. Ct. 1979). For the above reasons, it is submitted that the claims clearly recite features of the invention as would be understood by one of ordinary skill in the art.

Additionally, claims 1 and 5-12 were rejected under the second paragraph of 35 U.S.C. § 112 because the phrase "useful and useless information area" was found to be vague and indefinite. Claims 1 and 5-10 have been amended in response thereto and withdrawal of the rejection is respectfully requested. With respect to claims 11 and 12, it is submitted that no amendment is necessary because one of ordinary skill in the art would understand the how to distinguish between useful and useless information area for the reasons discussed above.

Finally, claims 3 and 4 were rejected because claim 1 was rejected. For the reasons discussed above, it is submitted that claims 3 and 4 satisfy the requirements of 35 U.S.C. § 112, second paragraph.

Therefore, in accordance with the second paragraph of 35 USC § 112, claims 1-12 particularly point out and distinctly claim the subject matter which the applicant regards as applicant's invention, and withdrawal of the indefiniteness rejections is respectfully requested.

#### REJECTION UNDER 35 U.S.C. §103:

Claims 1, and 3-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,868,183 to Kodaira in view of U.S. Patent No. 5,229,589 to Schneider.

Claims 1 and 5-10 each recite "a useful information area having useful information for document processing and a useless information area having no useful information" (*e.g.* claim 1, lines 7-8) and "wherein said area discriminat[ing]...count[s] a number of pixels assumed to be used in displaying information about a document image represented by the image data, and discriminates the useful information area from the useless information area based on a counting result comparison to a predetermined number" (*e.g.*, claim 1, last four lines).

In the final Office Action at page 4, lines 6-7, the Examiner states Kodaira "fails to explicitly teach the use of a ratio for increasing the area of the useful information" and that Schneider "discloses the use of a ratio for determining the different densities of the image in the region which include useless and useful areas" (lines 8-9). However, as described in column 6, line 56 through column 7, line 6 and Fig. 5, the areas of interest of Schneider are not expanded by "increasing the ratio of the useful information area to the entire area" (*e.g.*, claim 1, lines 9-10). Rather, the areas of interest are increased in Schneider by taking the coordinates of a line

surrounding an area of interest and thickening the line by increasing those coordinates.

Therefore, it is submitted that claims 1 and 5-10 as well as claims 3 and 4, which depend on claim 1, are patentably distinguishable over Kodaira and Schneider, alone or in combination.

In addition, claim 6 recites "document recognition... for recognizing the entry column entered on the document image indicated by the image data, and updating position of the recognized entry column depending on a result of the processing with the data processing unit" at lines 16-18 and "data processing unit increasing a ratio of the useful information area" at line 8. This operation is described on page 21, line 15 to page 22, line 3 and illustrated in FIG. 10. Nothing has been cited in Kodaira and Schneider, alone or in combination, that teaches or suggests "recognizing the entry column" as recited above.

Similarly, claim 8 recites "recognizing the entry column entered on the document image indicated by the image data, and updating position of the recognized entry column depending on a result of the increasing of the ratio" at lines 15-17. Claim 10 recites "document recognition means for recognizing the entry column entered on the document image indicated by the image data, and updating position of the recognized entry column depending on a result of the processing with the data processing means" at lines 16-18 and "data processing means for increasing a ratio of the useful information area" at line 8. For the reasons discussed above for claim 6, it is submitted that claims 6, 8 and 10 further distinguish over Kodaira and Schneider, alone or in combination.

Claim 11 recites "displaying... partial image data obtained by increasing a ratio of useful information to an entire area by processing of the first partial image data and the second partial image data which is image data of a portion for display of the useless information area based on the discriminating" at lines 5-8. In addition, claim 12 recites "discriminating an area of an obtained document image by counting in at least one direction a number of pixel to be used in displaying information about a document image and comparing the counting result to a predetermined number" at lines 3-5. For reasons similar to those discussed above, it is submitted that claims 11 and 12 are patentably distinguishable over Kodaira and Schneider, alone or in combination.

#### CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding

objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: February 19, 2008

By: /David E. Moore/  
David E. Moore  
Registration No. 59,047

1201 New York Avenue, N.W.  
Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501